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December 8, 2023

**BY ECF**

Hon. Denise Cote  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1910  
New York, New York 10007

**Re: *Atticus Limited Liability Company v. Dramatic Publishing Company*, 1:22-cv-10147-DLC**

Dear Judge Cote:

I write on behalf of defendant Dramatic Publishing Company (“Dramatic”). Dramatic respectfully requests that Your Honor (1) direct the Clerk of the Court to approve the supersedeas bond Dramatic has obtained (a copy of which is enclosed with this letter); and (2) pending approval of the bond, grant an extension of the stay for executing the Court’s order ECF No. 112.

**1. Dramatic’s request to direct Clerk to approve the bond**

The Court issued the Order for Award for Attorney’s Fees (ECF No. 112) on November 8, 2023, ordering Dramatic to pay the amount of \$201,171.25 to Atticus Limited Liability Company. Dramatic has appealed the fee order to the Second Circuit. *See* Notice of Appeal, ECF No. 113. Dramatic has obtained a supersedeas bond pending the appeal.

Today, Dramatic presented the Clerk of the Court with the bond. The bond is in an amount of \$212,034.50, which reflects the fee award of \$201,171.25 plus interest. The Clerk rejected the bond, stating two reasons: (1) the amount of the bond was not the exact same amount as stated in the Order for Award of Attorney’s Fees, and (2) the notarized signatures of Dramatic and of the surety do not appear on the same page of the bond. The Clerk further directed Dramatic to contact Chambers.

Dramatic respectfully requests that the Court order the Clerk to approve the bond. The bond obtained by Dramatic is a valid supersedeas bond issued by a U.S. Treasury Department-approved surety. The amount of the bond is in an amount *greater than* Dramatic was ordered to pay in the Order for Award of Attorney’s fees, and thus is more than sufficient to ensure payment of the fee award. There is no question that Dramatic has obtained a bond, as evidenced by the notarized signatures of the surety and of



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Dramatic. (The signatures appear on different pages because the representatives of Dramatic and the surety are located, respectively, in Illinois and Massachusetts.) If the Court orders to the Clerk to approve the bond, Dramatic will present the originals of the bond to the Clerk for approval.

**2. Dramatic's request for an extension of the stay pending approval of the bond**

The 30-day automatic stay for execution of the fee award expires after today. *See* Fed. R. Civ. P. 62(a). Dramatic respectfully requests that the Court grant an extension of the stay pending approval of the bond. Dramatic requests this relief as Dramatic has obtained a valid supersedeas bond from a U.S. Treasury-approved surety in an amount greater than the fee award, and as Dramatic has presented the bond to the Clerk within the stay period.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Stefan Mentzer', written in a cursive style.

Stefan Mentzer

Enclosure

cc: Counsel of record